

Who's behind Texas libel

By Jim Nesbitt
Newhouse News Service

The warning was as sharp and simple as a shot from a sniper's rifle: Don't go to Dallas.

"That's right. Don't go to Dallas. Don't go to Texas," said Gerald Posner, author of "Case Closed: Lee Harvey Oswald and the Assassination of JFK," the bestseller that knocks down the myriad conspiracy theories surrounding President Kennedy's death and says Oswald acted alone.

On his words to a writer riding the firestorm stirred by his work, a chilling caution given the searing events that occurred in Dealey Plaza on that bright November morning 40 years ago this month. But this alert had nothing to do with a second gunman, a grassy knoll or a death-dealing conspiracy. There were no fevered whispers of mob connections, CIA chicanery or Cuban revenge.

Don't go to Dallas, Posner was told. Don't go to Texas. You might get sued for libel.

"If you go down there, criticize the conspiracy theorists, they'll sue you," said Posner, recalling the alarm he received from another

author and assassination expert who faces a Texas libel suit. "They're using lawsuits as a means of intimidation."

Offering the freshest sign of the acrimony that rages between those who think Oswald was merely a puppet and those who think he was the lone triggerman, a Dallas attorney who has already sued two other prominent conspiracy-theory critics for libel has sent a sharply worded letter to Posner's publisher, often a precursor to a suit.

It is the latest measure of the uncompromising debate that has raged since Kennedy was killed. And for those who have been sued, the letters and the suits are signs of a grand conspiracy that isn't the work of the CIA or Mafia hitmen. Someone, they say — perhaps movie mogul Oliver Stone — wants a Texas showcase trial for pet assassination conspiracy theories and is using libel law to get it.

"Pure and simple, they wanted to retry the Kennedy assassination in Dallas all over again," said one of the libel suit defendants, G. Robert Blakey, a Notre Dame law professor and former counsel to the House Select Committee on Assassinations.

suits? Could it be . . . Oliver Stone?

Whitewash, says Dallas attorney Brad Kizzia, who filed the two Texas libel suits and wrote the letter to Posner's publisher, Random House. "Of course, they'd like to portray it that way and sensationalize it. I'm not surprised by these assertions, but that's not the intent of this case."

The escalating courthouse action underlines the twist in U.S. opinion about the assassination — what was once considered the orthodox and official view, that only Oswald was involved, is now branded with the same scorn as the early conspiracy theories.

And somewhere underneath the cascade of loose ends, well-indexed minutiae, theories both simple and byzantine, testimonials from sober-minded experts and soft-minded fakirs and the ever-nagging questions about the grassy knoll, the hobos and Oswald's true mission to Mexico City — somewhere buried under all of that is the lost and golden question: Who killed John Kennedy?

This query has taken on spiritual and metaphysical characteristics, rising to a par with man's great philosophical inquiries, like, "Is there a God?" And as it is in all churchly pursuits, the way the question is answered, its

doctrinal correctness, is as important as the answer itself.

The two camps — those who think Oswald was a lone gunman, and those who believe he was a cog in some sinister machination — brawl and bristle with bile and indignation. There is no middle ground.

"It's almost a religious belief," Posner says of the conspiracy theorists. "You're not going to convince someone with the facts. This is an emotional issue, like the debate over abortion. It's a belief-in-the-heart, don't-confuse-me-with-the-facts type of attitude."

Lately, bile and indignation have been ascendant, underscored by the two Texas libel suits filed by men whose theories cast doubt on the premise that Oswald acted alone. Kizzia's latest suit was filed in May on behalf of Fort Worth surgeon Charles Crenshaw, a resident at Parkland Hospital the day the mortally wounded president was wheeled in. Crenshaw claims he and other trauma-team physicians saw a throat wound and gaping exit wound at the back of Kennedy's head that indicated the president had been fatally shot from the front, not the rear, where Oswald's bullets came from.

Posner's book slams this theory and also quotes an anonymous physician who dismisses Crenshaw as a stroke-impaired has-been making a last grab for fame. Kizzia is pressing Random House for a retraction of Posner's sharp criticism of Crenshaw.

But Kizzia's two libel suits are drawing the same charge — that they intimidate and chill the comments of those who don't share the view of people like Crenshaw and an earlier plaintiff, Tom Wilson, an engineer from near Pittsburgh, Pa.

A consultant on Stone's movie, Wilson has conducted computer-aided analysis of key assassination photographs and contends that there was a second shooter on the grassy knoll and that a photo of Oswald jauntily posing in his back yard with a Mannlicher-Carcano rifle was a forgery.

The targets of Wilson's suit are two prominent assassination experts who stand on opposite ends of the conspiracy-lone gunman spectrum — David Belin, a Des Moines, Iowa, attorney who was counsel to the Warren Commission, a vociferous critic of Stone's movie and the man who warned Posner; and Blakey.